The Humble

DESIRES AND PROPOSITIONS OF THE Lords and Commons

Assembled in Parliament,

Presented to the KINGS most Excellent Majesty at his Court at *Oxford*, February 3. 1642.

With His

MAIESTIES ANSWER

thereunto, and six Propositions propounded by him to both Houses, to be debated upon with the rest.

Die Lunæ. *Feb.* 6. 1642.

Ordered by the Lords and Commons Assembled in Parliament that these Propositions with his Majesties Answer thereunto shall be forthwith printed and published.

Io. Browne Cler. Parliamentorum.

Feb. 7. Printed for *John Wright* in the Old Bailey. 1642.

1-26-40

The Humble Petition of the Lords and Commons to the King.

WE your *MAJESTIES* most humble and faithfull Subjects, The Lords and Commons in Parliament Assembled, having in our thoughts the glory of God, your Majesties honour, and the prosperity of your people, and being most grievously afflicted with the pressing miseries, and calamites, which have overwhelmed your two Kingdoms of *England* & *Ireland*, since your Majesty hath by the perswasion of evil Councellors, withdrawn your self frō the Parliament, raised an army against it, And by force therof protected delinquents, from the Justice of it, constrayning us to take Armes for the defence of our Religion, Lawes, Liberties, Priviledges of Parliament, and for the sitting of the Parliament in safety; which feares and dangers are continued and increased by the raising, drawing together and arming of great numbers of Papists under the command of the Earle of *New-Castle*, likewise by making the Lord *Herbert* of *Ragland* and other knowne Papists Commanders of great Forces, whereby many grievous Oppressions, Rapines, and cruelties have been and are dayly exercised upon the persons and states of your people, much innocent bloud hath been spilt & the Papists have obtained meanes of attempting with hopes of affecting their mischievous designes of rooting out the reformed Religion, and destroying the professors thereof, in tender sence and compassion of these evills under which your People and Kingdome lie, (according to the duty which

we owe to God, your Majesty and the Kingdome for which we are trusted) doe most earnestly desire that an end may be put to these great distempers and distractions, for the prevention of that desolation which doth threaten all your Majesties Dominions; and as wee have rendred, and still are ready to render to your Majesty that subjection, obedience and service which we owe unto you, so wee most humbly beseech your Majesty to remove the causes of this War, and to vouchsafe us that peace and protection which we and our Ancestors have formerly injoyed, under your Majesty and royall Predecessors, and graciously to accept and grant those our most humble desires and propositions: That your Majesty will be pleased to disband your Armies as wee likewise shall be ready to disband all those Forces which we have raised, and that you will be pleased to returne to your Parliament.

2. That you will leave Delinquents to a legall tryall and judgement of Parliament.

3. That the Papists may not only be disbanded but disarmed, according to the Law.

4. That your Majesty will be pleased to give your royall assent unto the Bill for taking away superstitious innovations; To the Bill for the utter abolishing and taking away of all Arch-bishops, Bishops, their Chancellors, and Commissaries; Deanes, Sub-deanes, Deanes and Chapters, Arch-deacons Canons, and Prebendaries and all Chantors, Chancellors, Treasurers, Sub-treasurers, Succentors and Sacrists, and all Vicars Choralls, and Choristers, old Vicars, and new Vicars, of any Cathedrall or Collegiate Church and all other their under Officers out of the Church of England, to the Bill against scandalous Ministers, To the Bill against Pluralities. And to the Bill for Consultation to be had with godly, Religious and learned Divines, that your Majesty will be pleased to promise to passe such other good Bills, for setling of Church-

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goviernment as upon consultation with the Assembly of the said Divines, shall be resolved on by both Houses of Parliament, and by them be presented to your Majesty.

5. That your Majesty having expressed in your Answer, to the nineteene propositions of both Houses of Parliament, an hearty affection and intention for the rooting out of popery out of this Kingdome. And that if both the Houses of Parliament can yet finde a more effectuall course to disable *Iesuits*, *Priests* and Popish *Recusants* from disturbing the state, or Deluding the Lawes, that you would willingly give your consent into it.

That you would be graciously pleased for the better discovery, & speedier conviction of Recusants, that an Oath may be established by Act of Parliament; To be administred in such manner as by both Houses shall be agreed on; wherein they shal abjure and renounce the *Popes* supremacy, the doctrin of Transubstantiation, Purgatory, worshiping of the consecrated Hosts, Crucifixes and Images and the refusing of the said Oath being tendered in such manner as shall be appointed by Act of Parliament, shal be a sufficient conviction in Law of Recusancy.

And that your Majesty will be graciously pleased to give your Royall assent unto a Bill, for the education of the children of Papists by Protestants, in the Protestant Religion.

That for the more effectuall execution of the Lawes Against Popish Recusants, your Majesty will be pleased to consent to a Bill for the true levying of the pehalties against them, and that the same penalties may be levyed, and disposed of in such manner as both Houses of Parliament shall agree on, so as your Majesty be at no losse; And likewise to a Bill whereby the practise of Papists against the state may be prevented, and the Lawes against them duely executed.

6. That the Earle of *Bristoll* may be removed from your Majesties Councells, and that both he, and the Lord *Herbert*, eldest

eldest son to the Earle of *Worcester*, may likewise be restrained from comming within the verge of the Court, and that they may not beare any Office or have any imployment concerning the state or Common-wealth.

7. That your Majesty will be graciously pleased by Act of Parliament, to settle the *Militia* both by Sea and Land, and for the Forts and ports of the Kingdome in such a manner, as shall be agreed on by both Houses.

8. That your Majesty will be pleased, by your Letters patents to make Sir *Iohn Bramston*, chiefe Justice of your Court of *Kings-Bench*, *William Lenthall* Esquire the now speaker of the Commons House, Mr. of the *Rolles*, and to continue the Lord chiefe Justice *Bankes*, chiefe Justice of the Court of *Common-Pleas*; And likewise to make Mr. *Sergeant Wyld* chiefe Baron of your Court of the *Exchequer*; And that Mr. Justice *Bacon* may be continued, and Mr. Sergeant *Roles*, and Mr. Sergeant *Atkins* made Justices of the Kings *Bench*. That Mr. Justice *Reenes*, and Mr. Justice *Foster* may be continued, and *Mr.* Sergeant *Phesant* made one of the Justices of your Court of *Common-Pleas*. That *Mr.* Sergeant *Creswell*, *Mr. Samuel Browne*, and *Mr. Iohn Puleston* may be Barons of the *Exchequer* and that all these, and all the Judges of the same Courts for the time to come, may hold their places by Letters patents under the great Seale, *Quam diu se bene gesserint*. And that the severall persons not before named that doe hold any of these places before mentioned may be removed.

9. That all such persons as have bin put out of the Commissions of peace or of *Oyer*, and *Terminer* or from being *Custodes Rotulorum* since the first day of *April* 1642. (Others then such as were put out by the desire of both or either of the Houses of Parliament may againe be put into those Commissions and Offices; And that such persons may be put out of those Commissions and Offices as shall be excepted against by both Houses of Parliament.

10. That

10. That your Majesty will be pleased to passe the Bill now presented to your Majesty, to vindicate and secure the priviledges of Parliament from the ill consequence of the late president in the charge and proceedings against the Lord *Kimbolton* now Earle of *Manchester*, and the five members of the House of Commons.

11. That your *Majesties* Royall Assent may be given unto such Acts as shall be advised by both Houses of Parliament, for the satisfying and paying the debts and dammages, wherein the two Houses of Parliament have engaged the publique Faith of the Kingdom.

12. That your Majesty will be pleased according to a gracious Answer heretofore received from you, to enter into a more strict alliance with the states of the united Provinces, and other Neighbour Princes, and states of the Protestant Religion for the defence and maintenance thereof, against all designes, and attempts of the Popish and Jesuiticall faction, to subvert and suppresse it; whereby your subjects may hope to be free from the mischieses, which this Kingdome hath endured through the power which some of that party have had in your Councell; and will be much encouraged in a Parliamentary way for your aide and assistance, in restoring your Royall Sister and the Prince Elector to those Dignities and Dominions which belong unto them, and the relieving the other distressed Protestant Princes, who have suffered in the same cause.

13. That in the Generall pardon that your Majesty hath bin pleased to offer to your Subjects, all offences and misdemeanors committed before the tenth of *January*, 1641. which have bin or shall be questioned or proceeded against in Parliament upon complaint in the House of Commons before the tenth of *January*, 1643. shall be excepted, which offences and misdemeanors shall nevertheless be taken and adjudged to be fully discharged against all other inferiour Courts,

That

That likewise there shall be an exception of all offences committed by any person or persons which hath or have had any hand or practise in the rebellion of *Ireland*, which hath or have given any Counsell, assistance or incouragement to the Rebells there, for the maintenance of that rebellion, as likewise an exception of *William* Earle of *Newcastle*, and *George* Lord *Digby*.

14. That your Majestie will be pleased to restore such Members of either House of Parliament to their severall place of service and imployment out of which they have bin put, since the beginning of this Parliament, that they may receive satisfaction and reparation for those places and for the profits which they have lost by such removall upon the Petition of both houses of Parliament, and that all others may be restored to their offices and imployments who have bin put out of the same upon any displeasure conceived against them for any thing given to both Houses of Parliament, or obeying their Commands, or forbearing to leave their attendance upon the Parliament without licence, Or for any other occasion arising from these unhappy differences between your Majesty and both Houses of Parliament upon the like Petition of both Houses.

These things being granted and performed, as it hath always bin our hearty prayers, so shall we be inabled to make it our hopefull endeavour, that your Majesty and your people may injoy the blessings of Peace, Truth, and Justice, The Royalty and greatnesse of your Throne may be supported by the Loyall and bountifull affections of your people, their Liberties and Privileges maintained by your Majesties protection and Justice, and this publique Honour and Happinesse of your Majesty and all your Dominions, communicated to other Churches and States of your Alliance, and derived to your Royall posterity, and the future Generations in this Kingdome for ever.

HIS MAIESTIES Answer and Propositions to the Lords and Commons in PARLIAMENT.

IF His Majesty had not given up all the faculties of His soule to an earnest endeavour of a peace, and reconciliation with His people; Or if He would suffer himselfe by any provocation to be drawne to a sharpnesse of language at a time when there seemes somewhat like an overture of Accomodation; He could not but resent the heavy charges upon Him in the preamble of these Propositions; And would not suffer himselfe to be reproached with protecting of Delinquents by force from Justice (His Majesties desire having always been, that all men should be tryed by the knowne Laws, and having been refused it) with raising an Army against His Parliament; And to be told that Armes have been taken up against Him for defence of Religion, Lawes, Liberties, Privi-

ledges of Parliament, for sitting of the Parliament in safety, with many other particulars in that preamble, so often and so fully answered by His Majesty, without remembring the world of the time and circumstances of raising these Armes against him, when His Majesty was so farre from being in a condition to invade other mens Rights, that he was not able to maintaine and defend His owne from violence; And without telling His good Subiects, that their Religion (the true Protestant Religion, in which His Majesty was borne, hath faithfully lived, and to which he will die a willing sacrifice) Their Lawes, Liberties, Priviledges, and safety of Parliament, were so amply setled, and established, or offered to be so by His Majesty, before any Army was raised against him, and long before any raised by him for his defence; That if nothing had been desired, but that peace and protection which His Subiects and their Ancestors had in the best times enjoyed under His Majesty, or His Royall Predecessors, this misunderstanding, and distance betweene His Majesty and His People, and this generall misery and distraction upon the face of the whole Kingdome had not now beene the discourse of Christendome. But His Majesty will forbeare any expressions of bitternesse, or of a sence of His owne sufferings, that if it be possible the memory thereof may be lost to the World; And therefore, though many of the Propositions presented to His Majesty by both Houses appeare to Him very derogatory from and destructive to His Just Power and Prerogative, and no way beneficiall to His Subiects, few of them being already due to them by the Lawes established (and how un-Parliamentary 'tis by Acts to require new Lawes, all the world may Judge) yet becauſe these may be waved or mollified, and many that are now darke or doubtfull in them cleared and explained upon debate) his Majesty is pleased (such is his sence of the miseries this Kingdom suffers by this unnaturall warr,

and

and His earnest desire to remove them by a happy peace) that a speedy Time and Place be agreed upon for the meeting of such persons as His Majesty, and both Houses shall appoint to discusse these Propositions, and such others here following as His Majesty doth propose to them.

1. That His Majesties owne Revenue, Magazines, Townes, Forts, and Ships, which have beene taken or kept from Him by force, be forth with restored unto Him.

2. That whatsoever hath been done or published, contrary to the knowne Lawes of the Land, and derogatory to His Majesties legall and knowne Power and Rights, be renounced and recalled, that no seed may remaine for the like to spring out of for the future.

3. That whatsoever illegall power hath beene claimed, and exercised by or over his Subjects, as imprisoning their persons without Law, stopping their Habeas Corpusses; and imposing upon their Estates, without Act of Parliament, &c. either by both or either House, or any Committee by both or either, or by any persons appointed by any of them be disclaimed, and all such persons so committed, forthwith discharged.

4. That as His Majesty will readily consent (having done so heretofore) to the execution of all Lawes already made and to any new Acts to be made for the suppressing of Popery, and for the firme setling of the Protestant Religion now established by Law; So he desires that a good Bill may be framed for the better preserving of the Book of Common-Prayer from the scorne and violence of Brownists, Anabaptists, and other Sectaries, with such clauses for the ease of tender consciences, as his Majesty hath formerly offered:

5. That all such persons as upon the Treaty shall be excepted out of the generall pardon, shall be tryed per Pares according to the usuall course and knowne Law of the Land,

and

that it be left to that either to acquit or condemne them.

And to the intent this Treaty may not suffer interruption by any intervening Accidents, That a cessation of Armes, and free Trade for all his Majesties Subjects may be first agreed upon.

This offer and desire of his Majesty he hopes will be so chearefully entertained, That a speedy and blessed peace may be accomplished: if it shall be rejected, or by insisting upon unreasonable circumstances, be made impossible, which he hopes (God in his mercy to this Nation will not suffer) The guilt of the blood which will be shed and the desolation, which must follow will lie upon the heads of the refusers; however his Majestie is resolved through what accidents soever he shall be compelled to recover his rights, and with what prosperous successes soever it shall please God to bless him, That by his constant endeavours to Propagate and promote the Protestant Religion, And by his governing according to the known Lawes of the Land, and upholding the Just Priviledges of Parliament, according to his frequent Protestations made before Almighty God, which he will allwaies inviolably observe, The world shall see that he hath undergone all these difficulties and hazzards for the defence and maintenance of these, The zealous preservation of which his Majesty well knowes is the onely foundation and meanes for the true happinesse of him and his People.

FINIS.